



Exempt Action Final Regulation Agency Background Document

Agency name	Department of Conservation and Recreation
Virginia Administrative Code (VAC) citation	4 VAC 5-36
Regulation title	Standard Fees for Use of Department of Conservation and Recreation Facilities, Programs, and Services
Action title	Amendments to the Department of Conservation and Recreation's Standard Fee regulations include changes to the following sections: Definitions (4 VAC 5-36-10); Applicability (4 VAC 5-36-20); General conditions and criteria concerning the establishment, modification, and revocation of fees (4 VAC 5-36-40); Parking and launch fees (4 VAC 5-36-50); Admission fees (4 VAC 5-36-60); Swimming fees (4 VAC 5-36-70); Commercial and nonprofit user fees (4 VAC 5-36-80); Camping fees (4 VAC 5-36-90); Cabin fees (4 VAC 5-36-100); Picnic shelters fees (4 VAC 5-36-110); Amphitheater and gazebo fees (4 VAC 5-36-120); Boat storage fees (4 VAC 5-36-130); Interpretative canoe, boat, and paddleboat fees (4 VAC 5-36-140); Interpretive and educational tours and programs (4 VAC 5-36-150); Outdoor Skills Programs (4 VAC 5-36-160); State park performing arts fees (4 VAC 5-36-180); Environmental education center fees (4 VAC 5-36-190); Miscellaneous rental fees (4 VAC 5-36-200); and Conference center fees (4 VAC 5-36-210).
Final agency action date	December 5, 2005
Document preparation date	December 5, 2005

When a regulatory action is exempt from executive branch review pursuant to § 2.2-4002 or § 2.2-4006 of the Virginia Administrative Process Act (APA), the agency is encouraged to provide information to the public on the Regulatory Town Hall using this form.

Note: While posting this form on the Town Hall is optional, the agency must comply with requirements of the Virginia Register Act, the *Virginia Register Form, Style, and Procedure Manual*, and Executive Orders 21 (02) and 58 (99).

Summary

Please provide a brief summary of all regulatory changes, including the rationale behind such changes. Alert the reader to all substantive matters or changes. If applicable, generally describe the existing regulation.

The Department is amending its “Standard Fees for Use of Department of Conservation and Recreation Facilities, Programs, and Services” Regulations including Definitions (4 VAC 5-36-10); Applicability (4 VAC 5-36-20); General conditions and criteria concerning the establishment, modification, and revocation of fees (4 VAC 5-36-40); Parking and launch fees (4 VAC 5-36-50); Admission fees (4 VAC 5-36-60); Swimming fees (4 VAC 5-36-70); Commercial and nonprofit user fees (4 VAC 5-36-80); Camping fees (4 VAC 5-36-90); Cabin fees (4 VAC 5-36-100); Picnic shelters fees (4 VAC 5-36-110); Amphitheater and gazebo fees (4 VAC 5-36-120); Boat storage fees (4 VAC 5-36-130); Interpretative canoe, boat, and paddleboat fees (4 VAC 5-36-140); Interpretive and educational tours and programs (4 VAC 5-36-150); Outdoor Skills Programs (4 VAC 5-36-160); State park performing arts fees (4 VAC 5-36-180); Environmental education center fees (4 VAC 5-36-190); Miscellaneous rental fees (4 VAC 5-36-200); and Conference center fees (4 VAC 5-36-210).

Increases and changes to these State Park System standard fees represent revisions to reflect private concessionaires new seasonal prices, deletion of fees that have become obsolete, changes to maintain fair market value, and updates to ensure consistency with the private sector. These fee amendments increase the 2003 cabin and camping rates across the board by approximately 5%. An additional 5% fee was added to those cabins built with 2002 General Obligation Bonds. From an administrative perspective, the amendments also revise the definitions of "Nonstandard fee" and "Standard fee" and clarify that the Director may establish, revise, or revoke standard or nonstandard fees for facility rentals, programs, festivals, special events, concerts, and services. The amendments also set forth revised seasons of operations for the cabins. Changes also include the specification that the rental of conference and meeting facilities require at least a 30% prepayment.

Statement of final agency action

Please provide a statement of the final action taken by the agency including (1) the date the action was taken, (2) the name of the agency taking the action, and (3) the title of the regulation.

The Director of the Department of Conservation and Recreation adopted this final action on the regulation entitled “Standard Fees for Use of Department of Conservation and Recreation Facilities, Programs, and Services” on December 5, 2005. This action has been certified by the Office of the Attorney General as exempt from the Administrative Process Act pursuant to § 2.2-4006A.1 related to exemption for regulations fixing rates or prices. Although exempt, pursuant to § 2.2-4006B the agency will receive, consider and respond to petitions by any interested person at any time with respect to reconsideration or revision. The effective date of regulations adopted under this subsection shall be in accordance with the provisions of § 2.2-4015, except in

the case of emergency regulations, which shall become effective as provided in subsection B of § 2.2-4012.

Family impact

Assess the impact of this regulatory action on the institution of the family and family stability.

The “Standard Fees for Use of Department of Conservation and Recreation Facilities, Programs, and Services” Regulations do not directly impact the institution of family and family stability. This regulatory action will have an effect on the amount of money paid by citizens to utilize the Department’s facilities and services and to participate in our program offerings but will allow for the continued use of these facilities, services, and programs by the public.